

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONNA PITTS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendants.

Case Number 19-11392

Honorable David M. Lawson

Magistrate Judge Patricia T. Morris

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING THE COMPLAINT WITHOUT PREJUDICE**

Presently before the Court is the report issued on January 17, 2020 by Magistrate Judge Patricia T. Morris pursuant to 28 U.S.C. § 636(b), recommending that the Court dismiss the complaint with prejudice for want of jurisdiction. Although the magistrate judge's report stated that the parties to this action may object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 19) is **ADOPTED**, the defendants' motion to dismiss (ECF No. 13) is **GRANTED**, the plaintiff's motions to clarify the complaint and for summary judgment (ECF No. 14, 15) are **DENIED**, and the complaint is **DISMISSED WITHOUT PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Date: February 13, 2020

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first-class U.S. mail on February 13, 2020.

s/Susan K. Pinkowski
SUSAN K. PINKOWSKI